

April 24, 2000

U.S. Department of Transportation  
United States Coast Guard  
Room PL-401  
400 Seventh Street SW  
Washington D.C. 20590-0001

RE: USCG-1999-4974

Dear Sir/Madame:

Attached are comments submitted by George Galasso on behalf of the Olympic Coast National Marine Sanctuary on the preliminary study recommendations of the Port Access Routes Study for the Strait of Juan de Fuca and Adjacent Waters. This issue is very important to the Olympic Coast National Marine Sanctuary as a catastrophic discharge of oil or hazardous materials is one of the greatest threats facing the Sanctuary. I have reviewed and fully support the information presented and urge you to move forward with implementing the recommendations. We look forward to working with the U.S. Coast Guard and other interested parties to ensure that the valuable marine resources of this region are protected.

Sincerely,

Carol Bernthal, Superintendent  
Olympic Coast National Marine Sanctuary

April 24, 2000

Docket Management Facility  
USCG-1999-4974  
U.S. Department of Transportation  
Room PL-401  
400 Seventh Street SW  
Washington D.C. 20590-0001

Dear Sir/Madam:

I am writing to provide comments on the preliminary study recommendations of the Port Access Routes Study for the Strait of Juan de Fuca and Adjacent Waters. These comments are supplemental to our previous letter to the docket, dated May 28, 1999.

First, I would like to congratulate the 13<sup>th</sup> Coast Guard District on their efforts in involving stakeholders during their preparation of the preliminary study recommendations. I believe that 13<sup>th</sup> Coast Guard District personnel have made a good faith effort in addressing our concerns related to traffic management within the Olympic Coast National Marine Sanctuary (OCNMS or Sanctuary), while also considering the concerns of other stakeholders within the waterway. While not all of our suggestions were implemented, we understand and support the Coast Guard's approach of vetting the proposals through the region's vessel traffic managers and maritime professionals. Some of our proposals were meant to be illustrative and we realized that additional expertise was necessary in making changes to the vessel traffic patterns at the entrance to the Strait of Juan de Fuca, within the Sanctuary and adjacent Canadian waters.

The Sanctuary does not have any specific comments related to "General Issues Relevant to the Entire Study Area", other than to support in principle any improvement to marine safety in the region. Related to "Geographic-Specific Issues", we've

limited our comments to the Entrance to the Strait of Juan de Fuca, within OCNMS.

**Issue #4a and #4b** - *Extend the TSS at the entrance to the Strait of Juan de Fuca approximately 10 miles further offshore; Center the separation zone at the entrance to the Strait of Juan de Fuca on the International Boundary;*

The Sanctuary endorses the Coast Guard's recommendations. Our primary concern, related to the current Traffic Separation Scheme (TSS), is the proximity of the traffic lanes to Duntze and Duncan Rocks. Tugs with barges, traveling south of the traffic lanes, come even closer. Shifting the TSS north will move traffic away from navigational hazards and allow more sea room for vessels travelling south of the TSS. Moving the convergence zone to the west will cause large commercial vessels to make their approach to the Strait of Juan de Fuca further offshore, mitigating risks from powered and drift groundings.

**Issue #4c** - *Retain multiple approach lanes configured to maintain order and predictability for vessels entering or exiting the Strait;*

The Sanctuary endorses the Coast Guard's recommendations. In our previous comments we suggested that having a single approach to the Strait of Juan de Fuca and extending it offshore could mitigate hazards of collision from converging traffic. This comment was based on the findings of the Volpe marine transportation working group, which found that the nature of the bottleneck at 'J' buoy with converging inbound and diverging outbound deep draft ships, crossing coastal traffic, and sporadic concentrations of fishing boats indicated a serious situation. Moving the convergence zone offshore does address many of these concerns and the Sanctuary will defer to the expertise of area vessel traffic managers relating to the value of multiple approach lanes in maintaining order and predictability of vessel traffic.

**Issue #4d**- *Configure these lanes to the greatest extent possible to avoid customary fishing grounds;*

The Sanctuary recognizes and appreciates the efforts of the Coast Guard to mitigate the conflicts between vessels transiting in the TSS and those engaged in fishing activities.

**Issue #4f** - *Expand the ATBA boundaries to the north and west to provide a greater buffer around Duntze Rock and offshore while still providing a protected route for slower moving vessels?*

The Sanctuary endorses the Coast Guard's recommendations on expanding the ATBA boundaries. We are particularly pleased with the increased buffer surrounding the sensitive areas and navigational hazards in the vicinity of Tatoosh Island.

The Sanctuary also endorses the Coast Guard's recommendations on routing of slower moving vessels, using "recommended routes". However, the Sanctuary is concerned with laden petroleum barges transiting outbound within these recommended routes.

Laden petroleum barges currently transit to the south of the lanes. The proposed "recommended routes" recognize this practice. We understand the value, and support the concept, of having slower moving vessels separated from faster moving commercial vessels, but are concerned with the proximity to navigational hazards. This is especially a concern during periods of low visibility, high tidal currents, winds and seas. We recommend that the Coast Guard goes forward with the proposed "recommended routes" and that they work with the towing industry to establish standards related to route planning of tank barges using these routes. We believe that such route planning should take into consideration the environmental sensitivity of the area, capabilities of individual tugs as well as predicted currents, visibility and weather conditions.

***Issue #6 - Should there be mandatory compliance with the ATBA associated with the Olympic Coast National Marine Sanctuary?***

***A. Mandatory compliance with the ATBA.***

The maritime industry and the U.S. and Canadian Coast Guards have been assisting the Sanctuary with an ATBA Education and Monitoring Program. A recent study conducted by OCNMS analyzes the effectiveness of the ATBA (enclosed). Performance indicators, approximating compliance rates, illustrate that over 90% of tank vessels transiting the Sanctuary stay outside of the ATBA. Due to the high rate of compliance and the cooperation received from the maritime industry, we concur with the Coast Guard's recommendation to not make the ATBA mandatory at this time. The Sanctuary, with the assistance of the U.S. Coast Guard, will continue to monitor the effectiveness of the voluntary ATBA and periodically evaluate and report on compliance. If the current high rate of compliance decreases, we will evaluate the cause and work with the U.S. Coast Guard

and other parties to recommend appropriate changes to the current management system.

B. Applicability of the ATBA.

While not addressed in the preliminary recommendations, the Sanctuary believes that the issue of ATBA applicability should be reviewed at this time. The North Puget Sound Risk Management Panel is also currently discussing the issue of expanding the applicability of the ATBA.

The proposed recommendations for moving the traffic lanes offshore and modifying the boundaries of the ATBA present an opportunity to consider if the ATBA should apply to additional vessels, in particular those carrying significant quantities of bunker fuel. The issue of damage from bunker fuel is receiving increased attention both domestically and internationally. Domestically, the spill of bunker fuel from the *M/V New Carissa* off the Oregon coast in 1999 heightened concerns. Moreover, the United States recently submitted a proposal to the International Maritime Organization (IMO) to establish recommended tracks off the coast of California to provide increased protection from spills of bunker fuel for Monterey Bay National Marine Sanctuary. This proposal was approved by IMO's Sub-committee on Safety of Navigation and will hopefully be finally adopted by the Maritime Safety Committee in May 2000. Internationally, negotiations are ongoing to establish a liability convention to address damage from bunker fuels.

Through our vessel monitoring efforts, we now have a better understanding of the nature of traffic patterns, including which vessels would be impacted by a change to the ATBA. The above referenced report, "Olympic Coast National Marine Sanctuary Area to be Avoided Education and Monitoring Program" (Galasso, 2000), identifies the population of vessels which transited the ATBA in 1998. The vessels for which the ATBA does not apply, which have previously been identified as being of the greatest concern, are large commercial vessels. In 1998 this class of vessels represented 50% of the vessels transiting through the ATBA. These figures are based upon 1,068 transits, because some data gaps exist the actual number of transits will be somewhat higher. Of these vessels bulk carriers are the most prevalent at 47%, followed by Container Ships at 29%, General Cargo at 14%, Vehicle Carrier/RO-RO at 6% and Passenger at 4%. Most of these vessels carry large quantities of persistent oil as bunker fuel.

While we are concerned with the hazards associated with these vessels, the Sanctuary is not a total exclusion area and we believe that safe marine transportation can be compatible with National Marine Sanctuary designation. We are interested in developing a balanced proposal that will improve resource protection within the Sanctuary while not unduly restricting marine transportation or other permitted activities within the Sanctuary. The Sanctuary is currently analyzing this population of vessels to better understand the implications of various scenarios. Such a proposal would be aimed at larger vessels transiting the area versus vessels that are in the Sanctuary for a specific purpose, e.g., tourism, research, government and fishing vessels.

The Sanctuary appreciates the support of the U.S. Coast Guard in making this special area safe for both the environment and shipping. We will continue to work with representatives of the 13<sup>th</sup> Coast Guard District in evaluating the issue of ATBA applicability and provide more specific recommendations in the near future. Please do not hesitate to contact me, at (360) 457-6622, for any additional information.

Sincerely,

George Galasso, Assistant Manager  
Olympic Coast National Marine Sanctuary

enclosure